

Application Number 	Application/Control No. 10/684,747	Applicant(s)/Patent under Reexamination MAHANY, RONALD L.

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : August 6, 2007	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	06-Sep-07	APPL. S. N.:	10684747
To Examiner:	TSE, YOUNG TOI	Art Unit	2611
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.

The T.D. is PROPER and has been recorded (see 14.23).

The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):

- The TD fee of [REDACTED] has not been submitted nor is there any authorization in the application file for the use of a deposit account
- The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
- The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
- The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
- The person who signed the T.D.:
 - is not an attorney "of record" (see 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see 14.28).
 - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
- No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
- The T.D. is not signed (see 14.26 & 14.26.03).
- The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
- The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
- The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
- Other: [REDACTED]
- Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex. Initials: _____ Date: _____

Log Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 14211US03)

In the Application of:	Conf. No.:	4061
	Customer No.:	23446
Serial No.:	10/684,747	
Filed:	October 14, 2003	
For:	SPREAD SPECTRUM TRANSCEIVER MODULE UTILIZING MULTIPLE MODE TRANSMISSION	
Examiner:	Young Toi Tse	
Group Art Unit:	2611	

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via EFS-Web to the United States Patent and Trademark Office on August 6, 2007.


Michael T. Cruz
Reg. No. 44,636

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

Interest of Entity Making This Disclaimer

Broadcom Corporation (hereinafter referred to as "Broadcom") is the assignee of the entire interest in the above-identified application and United States Patent No. 6,697,415 B1, which issued to Ronald L. Mahany on February 24, 2004.

Disclaimer

Broadcom hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of United States Patent No. 6,697,415 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only during such period that said patent is commonly owned with United States Patent No. 6,697,415 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee and its successors or assigns.

U.S. Application No. 10/684,747, filed October 14, 2003

Attorney Docket No. 14211US03

As Part of Amendment dated August 6, 2007

In Response to Office Action of April 4, 2007

It is to be understood from the foregoing language that Broadcom does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the term of United States Patent No. 6,697,415 B1, even if the effective life of United States Patent No. 6,697,415 B1, is shortened by a subsequent event (such as, for example, failure to pay a maintenance fee, a court or Patent Office ruling, or a disclaimer by the Patentee).

Fee Status (37 C.F.R. 1.20(d))

Please charge the fee, if any, to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

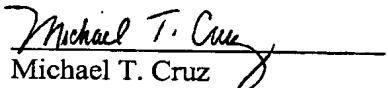
Evidentiary Statement

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned, and it is certified that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

The Commissioner is hereby authorized to charge any additional or required fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: August 6, 2007

Respectfully submitted,


Michael T. Cruz
Reg. No. 44,636

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